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ABSTRACT

This report presents the findings and recommendations of a follow-up to a 1981 survey of school discipline policies in 144 public school systems in North Carolina. Much progress since 1982 is reported, but the districts need to review and revise their policies and practices. The six central sections of the report focus on these topics: student codes of conduct; suspensions and expulsions; suspensions and expulsions of "special needs" students; corporal punishment; principal authority; and positive approaches. Major recommendations include: (1) local boards of education should immediately review their discipline policies and procedures and continue to do so at least annually to update them based on current laws and State guidelines; (2) students, teachers and parents should all be involved in the development of local policies and student handbooks; (3) the State Board of Education, in cooperation with concerned organizations, should issue guidelines and model policies for local boards to use in developing their discipline policies; (4) the State Board should conduct an annual review of local school board policies and procedures; (5) local boards should have written policies or guidelines on suspensions of children with special needs; (6) teachers, principals and assistant principals should be required to review their discipline policies at the beginning of each school year; and (7) in-service training in classroom management techniques, assertive discipline, etc., should be provided to teachers and principals. (KH)

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SCHOOL DISCIPLINE POLICIES IN NORTH CAROLINA

A Follow-up Report

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SCHOOL DISCIPLINE POLICIES IN NORTH CAROLINA

A Follow-up Report

September 1985

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PREFACE

In April of 1982 the Governor's Advocacy Council on Children and Youth issued a momentous report entitled School Discipline Policies in North Carolina. This document was the compilation of a survey conducted in 1981 to assess the policies and procedures used by the then 144 local school districts in the state to promote student discipline. Based on responses from 83 of the districts, it was evident that some work was needed to bring many of the school systems in line with state law and acceptable standards regarding discipline. Included in the report was a model student handbook which was offered as a guideline to be used by school personnel in remedying designated weaknesses. The staff to the council was also available to offer technical assistance and help with specific problems.

The present report is a follow-up to the 1982 study and was designed to reassess school discipline policies in light of previous findings and to include all 142 school districts, as well as special schools under the purview of the Department of Human Resources. Herein are the findings and recommendations resulting from the second survey.

The council is most appreciative to the superintendents and their staffs for the willingness and support displayed for this project. We would also like to thank William Peek, senior associate state superintendent, Department of Public Education, Dr. Gene Causby, executive director, North Carolina School Boards Association, and Danny Addison, attorney, N. C. Human Relations Council, for their assistance and guidance with this study.

Finally, the council is most thankful to Pam Holland of the GACCY staff who designed and directed the project and authored the final report and Kaye Grinberg, law graduate and staff person, for her examination of the policies and legal expertise.

HERB STOUT

Herb Stout
Chairman, GACCY

EXECUTIVE SUMMARY

As follow-up to a 1982 report conducted by the Governor's Advocacy Council on Children and Youth, the council re-surveyed the school districts in North Carolina during the spring and fall of 1984 to assess their discipline policies. A total of 146 districts (142 public school systems and four Department of Human Resources schools) were surveyed. Everyone (100 percent) responded to the survey in some fashion.

Much progress has been made since the 1982 study and the school boards should be commended for their efforts, but as the following statistics indicate, many districts still need to review and revise their policies and procedures.

Code of Student Conduct

-18 percent (27 districts) have exemplary policies.
-65 percent (95) meet state and federal law.
-9 percent (13) leave formulation of the codes up to individual schools in violation.
-3 percent (5) do not have policies, in violation.
-4 percent (6) did not send policies.

Suspension and Expulsion

-21 percent (31 districts) have exemplary policies.
-23 percent (33) conform to state law and ensure due process.
-8 percent (12) ensure due process but have potential problems because superintendent sits as or on the "impartial tribunal."
-36 percent (52) do not conform to the law or give all due process.
-11 percent (16) have no policies, in violation.
-1 percent (2) are revising their policy, none sent.

Suspension and Expulsion of "Special Needs" Students

-31 percent (44 districts) have written policies or guidelines.
-49 percent (70) either have no policy, use the same suspension policy for all students or use out-of-date policies or guidelines.
20 percent (28) did not send any policies but indicate they follow state law and guidelines.

Corporal Punishment

-62 percent (91 districts) have exemplary policies.
-24 percent (35) provide some but not all the due process procedures mandated in Baker v. Owen.
-2 percent (3) provide some procedures, but not those mandated in Baker.
-8 percent (11) indicate they have no written policies.
-4 percent (6) did not send any policies.

Principal Authority

-64 percent (93 districts) do not allow suspensions or expulsions for violations of policies other than those set by the school board.

-32 percent (47) allow suspensions or expulsions for violation of policies made by principals, schools or discipline committees.

-4 percent (6) did not respond to this question.

Other Information

-78 percent (114 districts) have provided in-service training in classroom management for their teachers or principals in the 12 months prior to the survey.

-90 percent (131 districts) have in-school suspension classrooms.

RECOMMENDATIONS

1. Local boards of education should immediately review their discipline policies and procedures (code of conduct, suspension, corporal punishment, etc.) and continue to do so at least annually to update them based on current laws and state guidelines. State law currently requires these policies be published and made available to each student and his parents at the beginning of each school year.

2. Students, teachers and parents should all be involved in the development of local policies and student handbooks. Handbooks should clearly and concisely state students' rights and responsibilities and be as uniform as possible within school districts.

3. The State Board of Education, in cooperation with such organizations as the North Carolina School Boards Association, should issue guidelines and model policies for local boards to use in developing their discipline policies.

4. The State Board of Education should conduct an annual review of local school board policies and procedures to ensure they are current, legal and fair.

5. Local boards of education should have written policies or guidelines on suspension of children with special needs.

6. Teachers, principals and assistant principals should be required to review their discipline policies at the beginning of each school year.

7. Teachers, principals and assistant principals should be given every opportunity to receive in-service training in classroom management techniques, assertive discipline, etc., as ways of dealing with and preventing discipline problems.

School Discipline Policies in North Carolina
A Follow-up Report

Introduction

The issue of how and when to discipline students in the public schools affects both the students being disciplined and the communities in which they live. In the spring of 1981, the Governor's Advocacy Council on Children and Youth conducted a survey of the then 144 public school systems in North Carolina to determine how well the schools were dealing with this important issue.

Information was requested from superintendents on their policies dealing with student codes of conduct, policies and procedures on long-and short-term suspensions and corporal punishment, and a description of innovative or exemplary programs or techniques designed to deal with behavior problems in their schools. Eighty-three school districts, or 58 percent of the total, responded to the survey. The findings from the 1982 report were as follows:

--23 percent of the school districts responding to the survey did not have codes of conduct which conformed to the requirements of the law.

--48 percent of the school districts responding to the survey did not have disciplinary policies and procedures which ensured due process to the students.

--66 percent of the responding school districts did not have complete written policies on corporal punishment.

--60 percent of the responding school districts allowed principals to suspend students for violations of rules imposed by the principal and not by the school board.

--there was no state agency which regularly reviewed the disciplinary policies of all school districts in North Carolina to ensure their legality and fairness.

Based on these findings, the council made the following general recommendations:

1. Local school districts should be required by law to submit their policies and procedures for school discipline to the State Board of Education annually for its review.
2. The State Board of Education should be required to conduct an annual review of these local school district policies and procedures to ensure that they are legal and fair.
3. Local school districts should be required by law to comply with changes ordered in the school discipline policies by the State Board of Education.

These findings were published in a report entitled School Discipline Policies in North Carolina, 1982. Since the purpose of the study had been both to analyze the current state of the art of school discipline in North Carolina, and to attempt to improve it where necessary, the names of the school districts were listed in the report to indicate whether their policies were in compliance with state and federal laws and court rulings.

Copies of the report were mailed to all superintendents and school board chairs. A model student handbook was included in the report to offer suggestions for local boards to use in further developing their policies. Staff to the council received requests for technical assistance from several systems after they had reviewed the report.

The council presented the results of the study to the State Board of Education and asked it to begin reviewing local policies annually. The state board felt that local policies should be the responsibility of the local school boards and declined the council's request.

Since the 1982 study, the council has conducted further study on the issue of corporal punishment and prepared a statement, Corporal Punishment in North Carolina Public Schools: A White Paper Report. Based on findings from the research, GACCY took a position opposing the use of corporal punishment in North Carolina's public schools. The council supported proposed legislation before the 1985 General Assembly which would have allowed local school boards to decide whether to use corporal punishment in their schools. The legislature decided that further study was needed on the subject and called for a legislative study commission to report back to the 1986 session of the General Assembly.

It is important to note that the 1982 school discipline report did not assess whether or how the school policies were actually being carried out; it merely examined what the policies were as stated by the school officials. It is also important to note that GACCY made a commitment at that time to later survey the 61 school districts which did not respond to the survey, along with the Department of Human Resources schools.

So, in spring of 1984, the council decided to conduct a follow-up discipline report. Once again, surveys were sent to superintendents asking for their school board policies on student code of conduct, suspension, expulsion and corporal punishment. Additionally, questions regarding principals' authority, teacher training, discipline of exceptional children and in-school suspension classrooms were asked. Surveys were also sent to the superintendents of the Department of Human Resources schools, i.e., Governor Morehead School for the Blind and the three North Carolina schools for the deaf.

Initial response to the survey was very good but the council was encouraging 100 percent participation from all the systems. After several months and some follow-up letters the council received comments from all 142 public school systems and the four Department of Human Resources schools. Because of this extended time frame for receiving policies, some systems responded during the 1983-84 school year while others responded during 1984-85.

All 142 public school systems and the four Department of Human Resources (DHR) schools responded in some way to the survey. Only one system (Lenior) did not send any policies, explaining that its policy is in the process of being revised.

I. Student Codes of Conduct

The N.C. General Assembly rewrote Chapter 115 of the North Carolina General Statutes dealing with elementary and secondary education in 1981. The chapter was recodified as Chapter 115C and became effective July 1, 1981. N.C. G.S. 115C-391(a) provides that "Local boards of education shall adopt policies governing the conduct of students and shall cause these policies to be published and made available at the beginning of each school year to each student and his parents." The new law also provides that school principals may "suspend any student who willfully violates policies of conduct established by the local board of education." (N.C. G.S. 115C-391 (b) & (c)).

Additionally, the courts have interpreted the due process clause of the 14th Amendment to the U. S. Constitution to require that students be appraised of those types of conduct for which the student might be disciplined. And the courts have required the rules of conduct to be clear enough for a student to reasonably understand what conduct is prohibited. The rules must give students fair warning of what is forbidden and not be such that the rules would allow arbitrary and discriminatory enforcement. The courts are particularly strict in requiring specificity when First Amendment guarantees of freedom of speech, religion and association are affected.

The school board policies received in response to the survey were evaluated according to the above-mentioned principles. Additionally, GACCY staff rated policies as "exemplary" based on the following criteria:

1. Rules are very clear and concise and in language that is easily understood.
2. Student rights and responsibilities are set out.
3. The policies reflect a positive, constructive attitude on the part of the school board.

The following 27 (18 percent) school systems had exemplary policies (DHR schools included):

Alleghany County
Asheboro City
Asheville City
Beaufort County
Bertie County
Brunswick County
Chapel Hill-Carrboro City
Charlotte-Mecklenburg
Chatham County
Cherokee County
Dare County
Durham City
Greensboro City
Guilford County
Henderson County
Monroe City
New Bern-Craven County
Northampton County
Orange County
Polk County
Randolph County
Reidsville City
Stanly County
Washington City
Winston-Salem/Forsyth
Eastern School for the Deaf
School for the Deaf, Morganton

Of the school systems that responded to the survey, the following 95 (65 percent) were determined to have codes of conduct in accordance with state and federal law:

Alamance County
Albemarle City
Alexander County
Avery County
Bladen County
Buncombe County
Burke County
Burlington City
Cabarrus County
Caldwell County
Camden County
Carteret County
Catawba County
Clay County
Clinton City
Cumberland County
Currituck County
Davidson County
Davie County
Durham County
Edenton-Chowan County
Edgecombe County
Elizabeth City-Pasquotank
Elkin City
Fairmont City
Fayetteville City
Franklin County
Franklinton City
Gaston County
Gates County
Goldsboro City
Granville County
Greenville City
Halifax County
Harnett County
Hendersonville City
Hertford County
High Point City
Hyde County
Iredell County
Johnston County
Jones County
Kannapolis City
Kings Mountain City
Kinston City
Lee County
Lexington City
Lincoln County
Lumberton City
Macon County
Madison County
Martin County
McDowell County
Mitchell County
Montgomery County
Moore County
Mooresville City
Nash County
New Hanover County
Newton-Conover City
Onslow County
Pamlico County
Pender County
Perquimans County
Person County
Pitt County
Red Springs City
Richmond County
Robeson County
Rockingham County
Rocky Mount City
Rutherford County
Saint Pauls City
Salisbury City
Sampson County
Scotland County
Shelby City
Statesville City
Swain County
Tarboro City
Transylvania County
Tryon City
Tyrrell County
Union County
Vance County
Wake County
Warren County
Washington County
Weldon City
Wilkes County
Wilson County
Yadkin County
Yancey County
Governor Morehead School for the Blind
Central School for the Deaf

The following 13 (9 percent) school districts appear to leave the formulation of student codes of conduct up to the individual schools, which is in violation of the North Carolina law:

Asne County
Cleveland County
Duplin County
Graham County
Greene County
Hickory City
Madison-Mayodan City
Mount Airy City
Roanoke Rapids
Rowan County
Stokes County
Wayne County
Whiteville City

The following five (3 percent) school systems do not have policies on student codes of conduct, which is in violation of the North Carolina law and the 14th Amendment to the U.S. Constitution:

Caswell County
Columbus County
Eden City
Jackson County
Surry County

No code of conduct policies were enclosed in the responses of these six (4 percent) school districts:

Anson County
Haywood County
Hoke County (not yet completed)
Lenoir County (policies under revision)
Thomasville City
Watauga County (developing a Uniform Code of Conduct)

II. Suspensions and Expulsions

The North Carolina law on suspensions and expulsions is as follows:

> (a) Local boards of education shall adopt policies governing the conduct of students and shall cause these policies to be published and made available at the beginning of each school year to each student and his parents. Local boards of education shall also adopt policies not inconsistent with the provisions of this section or the Constitution of the United States and North Carolina, establishing procedures to be followed by school officials in suspending or expelling any pupil from school and shall cause such procedures to be published and made available at the beginning of each school year to each student and his parents.

(b) The principal of a school, or his delegate, shall have authority to suspend for a period of 10 days or less any student who willfully violates policies of conduct established by the local board of education: Provided, that a student suspended pursuant to this subsection shall be provided an opportunity to take any quarterly, semester or grading period examinations missed during the suspension period.

(c) The principal of a school, with the prior approval of the superintendent, shall have the authority to suspend for periods of times in excess of 10 school days but not exceeding the time remaining in the school year, any pupil who willfully violates the policies of conduct established by the local board of education.

(d) A local board of education may, upon recommendation of the principal and superintendent, expel any pupil 14 years of age or older who has been convicted of a felony and whose continued presence in school constitutes a clear threat to the safety and health of other students or employees. Notwithstanding the provisions of G.S. 115C-112, a local board of education has no duty to continue to provide a child with special needs, expelled pursuant to this subsection, with any special education or related services during the period of expulsion.

(e) A final decision of the local board of education pursuant to subsections (c) and (d) shall be subject to judicial review in the manner provided by Article 4, Chapter 150A of the General Statutes.(N.C. G.S. 115C-391)

The statute does not include all of the procedures required to ensure due process. The courts have imposed certain procedures upon school officials whenever a student is faced with possible suspension or expulsion. The amount of procedural due process required differs depending upon the length of the exclusion from school.

A. Suspensions for 10 days or less

A suspension from school for 10 days or less is considered by the courts to be a lesser intrusion on a student's rights to an education than a removal for a longer period of time. For this "intrusion" the courts have mandated that some due process be used. In 1975, the Supreme Court of the United States considered specifically what procedures school officials must follow when suspending a student for 10 days or less in the case of Goss v. Lopez, 95 S. Ct. 792 (1975).

For all suspensions of students of 10 days of less, due process requires that the student be given oral or written notice of the charges against him and, if he denies them, an explanation of the evidence the authorities have and an opportunity to present his side of the story (95 S.Ct. 792).

The court advised that this rudimentary notice and "hearing" may occur immediately following the alleged misconduct, and because it was only required that the student be given the chance to explain his side of the story, in most cases, the "process" must be accorded before the student is actually evicted from the school grounds. However, if the misbehavior that merits suspension is so severe that the student poses a "continuing danger to persons or property or an ongoing threat of disrupting the academic process," the student may be removed from the school premises immediately. In such cases, the notice and hearing must follow "as soon as is practicable."

Additionally, a federal district court in North Carolina has determined that if a student is suspended for 10 days or less, and prohibited from attending any extra-curricular activities after school, only that amount of due process that is required for a suspension of 10 days or less is required. In other words, the additional exclusion from extra-curricular activities is not considered to be any more of an intrusion upon the student's rights to an education than a simple suspension for 10 days or less. Pegram v. Nebon, 469 F. Supp 1134 (M.D. N. C. 1979).

The bottom line of these decisions is that all schools in North Carolina must pursue a prescribed (if minimal) procedure when suspending a student for 10 days or less:

1) Oral or written notice of the charges against the student.
2) An explanation of the evidence the authorities have against the student.
3) An opportunity provided the student to present his or her side of the story.
4) These procedures must be provided before the student is suspended, unless the student's continuing presence poses a threat of disruption, in which case, the procedure must be provided "as soon as (is) practicable" after the suspension.

As stated in the N.C. General Statutes, a school which suspends a student for 10 days of less must allow the student to take any examinations that were missed during the period of suspension. This provision protects these students from a class failure caused by the suspension.

B. Suspension for more than 10 days

The Supreme Court of the United States has not yet ruled on the extent of due process to be accorded students before they are suspended for more than 10 days. This is probably due to the fact that the district courts throughout the nation have been fairly uniform in the requirements for mandated procedures before the suspensions are allowed to take place. In North Carolina, the U.S. District Court in Charlotte interpreted the U. S. Constitution to require certain specific procedures in cases when students are to be suspended for more than 10 days in the case of Givens v. Poe, 346 F. Supp. 202 (W.D.N.C. 1972).

Where exclusion or suspension for any considerable period of time is possible consequence of proceedings,...due process requires a number of procedural safeguards such as: 1) notice to parents and student in the form of a written and specific statement of the charges which, if proved, would justify the punishment sought; 2) a full hearing after adequate notice; 3) which hearing is conducted by an impartial tribunal; 4) the right to examine exhibits and other evidence against the student; 5) the right to be represented by counsel (though not at public expense); 6) the right to confront and examine adverse witnesses; 7) the right to present evidence on behalf of the student; 8) the right to make a record of the proceedings; and 9) the requirement that the decision of the authorities be based upon substantial evidence.

The North Carolina General Statute on suspensions allows a principal to suspend a student for more than 10 days only with the prior approval of the superintendent. Therefore, it seems that the superintendent is the person who is actually responsible for making the decision to suspend for more than 10 days. Reading this provision in conjunction with the federal law requirements of affording the student a full hearing before an impartial tribunal indicates a potential problem for some school systems in North Carolina. There may be a legal problem for those school systems that allow the superintendent to sit as or on the impartial tribunal to which a student may appeal the initial suspension decision of the principal (and superintendent). Since the superintendent will have already approved the principal's decision, he may no longer meet the requirements of impartiality.

Similar problems may be raised in those systems that allow the superintendent to reverse the decision of the "inpartial tribunal." However, the question of whether a superintendent is impartial as a member of such a hearing panel has not been specifically addressed by the North Carolina courts. Several courts in other jurisdictions have addressed the issue and indicated that a superintendent who has already participated in a suspension decision should not sit as a member of such a hearing panel. On the other hand, other courts have found nothing improper with such a practice.

Finally, as provided in N.C.G.S. 115C-391 (e), a decision to suspend or expel the student under the statute may be appealed to the North Carolina courts. However, once the case gets to court, the standard for review will only be whether there was sufficient evidence to substantiate the findings of the hearing officer.

Because the state law requires school districts to have written policies and procedures on suspensions and expulsions, and the courts have construed the Constitution to require specific procedures, the responses to GACCY's survey were evaluated on the basis of whether the written procedures on suspensions and expulsions fulfilled the constitutional requirements. Additionally, policies were rated as "exemplary" based on the following criteria:

1) Legal requirements and rights specifically listed as such.
2) Right to appeal specifically listed.
3) Provision of "impartial tribunal" between initial decision of principal/superintendent and appeal to school board.
4) Tribunal composed of truly impartial people, not principal and/or superintendent only.

The following 31 (21 percent) school districts have exemplary policies:

Alleghany County
Anson County
Asheboro City
Burke County
Charlotte-Mecklenburg
Chatham County
Cherokee County
Davie County
Durham County
Franklin County
Gaston County
Greensboro City
Harnett County
Henderson County
Hendersonville City
Hertford County
Hickory City
High Point City
Macon County
Montgomery County
Mooresville City
New Bern-Craven County
Newton-Conover City
Orange County
Pender County
Richmond County
Saint Pauls City
Stanly County
Statesville City
Winston-Salem/Forsyth County
Yancey County

The policies of the following 33 (23 percent) school districts were found to conform to requirements of the state law and to ensure the due process constitutionally required by the courts:

Alamance County
Albemarle City
Ashe County
Chapel Hill-Carrboro City
Clinton City
Cumberland County
Elkin City
Fayetteville City
Franklinton City
Granville County
Iredell County
Johnston County
Kannapolis City
Moore County
Nash County
New Hanover County
Northampton County
Perquimans County
Person County
Pitt County
Randolph County
Rocky Mount City
Rutherford County
Sampson County
Tarboro City
Tryon City
Union County
Vance County
Wake County
Warren County
Whiteville City
Wilkes County
Yadkin County

The policies of the following 12 (8 percent) school districts were also found to ensure the due process constitutionally required by the courts. However, there is a potential problem in that the superintendent sits as or on the "impartial tribunal" to which a student may appeal the initial long-term suspension decision of the principal (and superintendent):

Alexander County
Caldwell County
Currituck County
Davidson County
Durham City
Guilford County
Lexington City
Mitchell County
Monroe City
Salisbury City
Washington City
Watauga County

The 52 (36 percent) school districts listed below have policies which do not conform to the law or do not ensure all the due process constitutionally required by the courts.

Asheville City
Beaufort County
Bertie County
Brunswick County
Buncombe County
Burlington City
Cabarrus County
Camden County
Carteret County
Clay County
Columbus County
Dare County
Edenton-Chowan County
Edgecombe County
Elizabeth City-Pasquotank
Fairmont City
Gates County
Goldsboro City
Greene County
Greenville City
Halifax County
Haywood County
Jackson County
Jones County
Kings Mountain City
Kinston City
Lee County
Lumberton City
Madison County
Madison-Mayodan City
Martin County
McDowell County
Pamlico County
Polk County
Red Springs City
Reidsville City
Robeson County
Rockingham County
Rowan County
Scotland County
Shelby City
Swain County
Thomasville City
Tyrrell County
Washington County
Wayne County
Weldon City
Wilson County
Eastern School for the Deaf
Governor Morehead School for the Blind
School for the Deaf, Morganton
Central School for the Deaf

The following 16 (11 percent) school districts appear to have no policies or procedures, which is in violation of the North Carolina statute on suspensions and expulsions:

Bladen County
Caswell County
Catawba County
Cleveland County
Duplin County
Eden City
Graham County
Hoke County
Hyde County
Lincoln County
Mount Airy City
Onslow County
Roanoke Rapids City
Stokes County
Surry County
Transylvania County
(local policy will be formulated)

These two (1 percent) school districts are in the process of revising their policies:

Avery County
Lenoir County

III. Suspensions and Expulsions of "Special Needs" Students

General Statute 115C-109, definition of children with special needs, reads as follows:

> The term "children with special needs" includes, without limitation, all children between the ages of 5 and 18 who because of permanent or temporary mental, physical or emotional handicaps need special education, are unable to have all their needs met in a regular class without special education or related services, or are unable to be adequately educated in the public schools. It includes those who are mentally retarded, epileptic, learning disabled, cerebral palsied, seriously emotionally disturbed, orthopedically impaired, autistic, multiply handicapped, pregnant, hearing-impaired, speech-impaired, blind or visually impaired, other health impaired, and academically gifted.

Furthermore, G.S. 115C-112 outlines the procedures to be followed when children with special needs are subject to suspensions for 10 days or more. This section on disciplinary suspension states:

> (a) In the event that a child with special needs exhibits behavior which, if the child were not a child with special needs, could result in the suspension or expulsion of the child from school for more than 10 days or for consecutive periods that total more than 10 days, the local education agency shall require a multi-disciplinary team promptly to review the evaluation already completed for the child and conduct any additional evaluations necessary to determine if the behavior is caused by the child's special need, which

evaluations shall include determining (1) whether the child is presently receiving appropriate education, and (2) whether medication is needed or present medication is appropriate. If the evaluation establishes no such relationship between the behavior and the special needs, the local education agency may initiate its normal disciplinary procedures. If the evaluation does establish such a relationship, the local education agency may not initiate its normal disciplinary procedures. The findings should be used in determining an appropriate program.*

(b) In an emergency situation, the child may be immediately suspended for a period of not to exceed 10 days. As soon as possible after the suspension has begun, and in no case beyond the end of the 10-day maximum period, except under extraordinary circumstances, the multi-disciplinary team shall conduct the evaluation described in subsection (a). To constitute an emergency situation, there must be a continuing threat to the child or to others due to the child's behavior.

(c) In all actions involving suspension of a special needs child whose behavior is determined to be caused by his/her handicapping condition or lack of proper medication, the parties have available all the due process rights of G.S. 115C-116 and 20 U.S.C. 1415. (1977, c. 927, s. 1; 1979, c. 874, s. 2; 1981, c. 423, s. 1; 1983, c. 247, s.5.).

*Note: G.S. 115C-112(a) was amended during the 1985 General Assembly to delete the word "consecutive" and, as a result, school systems must conduct a multi-disciplinary review of a child suspended for more than 10 days or a total of 10 days during the school year to determine if the behavior was caused by the child's special need.

Nothing in state law specifically requires local education agencies to have <u>written</u> policies for suspension of children with special needs. However, in light of the requirement in G.S. 115C-112 calling for a multi-disciplinary team to review any special needs suspension of more than 10 days, written policies or guidelines would appear to be beneficial for students and parents as well as for teachers and principals.

Only 44,or 31 percent of the systems responding to the survey actually included a written policy or guidelines. Almost half, 70 of the 142 systems (49 percent) offered one of the following: 1) they either had no policy; or 2) they used the same suspension policy as for the "regular" students; or 3) they included a policy which was out-of-date (pre-1983).

The remaining 28 systems (20 percent) did not send any policies but noted that they follow state law and state guidelines.

IV. Corporal Punishment

North Carolina statutory law on corporal punishment is as follows:

> Principals, teachers, substitute teachers, voluntary teachers, teachers aides and assistant and student teachers in the public schools of this state may use reasonable force in the exercise of lawful authority to restrain or correct pupils and maintain order. No local board of education or district committee shall promulgate or continue in effect a rule, regulation or bylaw which prohibits the use of such force as is specified in this section (N.C.G.S. 115C-390).

Additionally, the North Carolina Supreme Court has held that although school boards may not prohibit corporal punishment, they have the authority to regulate the use of corporal punishment. Kurtz v. Winston-Salem/Forsyth County Board of Education, 250 S.E.2d 718 (1979). Also, students and parents in North Carolina may sue school officials who use excessive and unjustified force when corporally punishing students (State v. Pendergrass, 19 N.C. 365).

Almost all of North Carolina's school systems' policies limit the force school officials may use, and provide procedures to be followed before corporal punishment is administered. These limits and procedures are an attempt to ensure that students are not subjected to arbitrary and excessive punishment and provide protection for school officials against lawsuits.

Most North Carolina school systems follow the procedures stated in Baker v. Owen (395 F. Supp. 294 (M.D.N.C.) affirmed, 96 S.Ct. 210 (1975)), and thereby offer safeguards for both students and school officials. The Baker decision required:

1) The publication of all types of misbehavior which might result in the administration of corporal punishment.
2) An attempt to punish the recalcitrant student by means other than corporal punishment before the physical discipline is administered.
3) The presence of a second school official when the punishment is performed.
4) An oral explanation given to the second official in the presence of the student of the reason for the punishment, thus, allowing the student the opportunity to object to an "egregiously arbitrary or contrived application of punishment."
5) The provision of a written explanation of the reasons for the punishment along with the name of the second official who was present to the parent of the student, if requested.

Many school districts also have further procedures and/or regulations such as: guidelines for the type of paddle that may be used; provision for paddling on buttocks only; record keeping showing reasons for punishment, number of licks, and names of administering and witnessing officials; fair and reasonable physical discipline appropriate to the offense and to the age of the child; corporal punishment must not be administered with malice or in anger, etc.

In evaluating corporal punishment policies, GACCY staff rated as exemplary those school districts that followed the procedures mandated in Baker v. Owen. Those 91 (62 percent) school districts are as follows:

Alamance County
Albemarle City
Alexander County
Alleghany County
Asheboro City
Asheville City
Avery County
Beaufort County
Bertie County
Brunswick County
Buncombe County
Caldwell County
Carteret County
Catawba County
Chapel Hill-Carrboro City
Charlotte-Mecklenburg
Chatham County
Cherokee County
Clay County
Davidson County
Durham City
Durham County
Eden City
Elizabeth City-Pasquotank
Elkin City
Fairmont City
Fayetteville City
Franklin County
Franklinton City
Gates County
Goldsboro City
Granville County
Greensboro City
Greenville City
Guilford County
Halifax County
Harnett County
Henderson County
Hertford County
High Point City
Johnston County
Jones County
Kings Mountain City
Kinston City
Lee County
Lexington City
Lumberton City
Martin County
McDowell County
Mitchell County
Monroe City
Nash County
New Bern-Craven County
New Hanover County
Newton-Conover
Northampton County
Orange County
Pamlico County
Perquimans County
Pitt County
Polk County
Randolph County
Red Springs City
Reidsville City
Richmond County
Roanoke Rapids City
Robeson County
Rutherford County
Saint Pauls City
Salisbury City
Sampson County
Scotland County
Shelby City
Stanly County
Statesville City
Surry County
Tarboro City
Thomasville City
Transylvania County
Union County
Vance County
Wake County
Washington City
Washington County
Watauga County
Weldon City
Wilkes County
Wilson County
Winston-Salem/Forsyth County
Yadkin County
Yancey County

The following 35 (24 percent) school districts provide some, but not all, of the procedures mandated in Baker:

Anson County
Ashe County
Bladen County
Burke County
Burlington City
Camden County
Cleveland County
Clinton City
Cumberland County
Currituck County
Dare County
Davie County
Edgecombe County
Greene County
Haywood County
Hickory City
Hoke County
Iredell County
Kannapolis City
Lincoln County
Macon County
Madison County
Madison-Mayodan City
Moore County
Mooresville City
Person County
Rockingham County
Rocky Mount City
Rowan County
Swain County
Tyrrell County
Warren County
Wayne County
Central School for the Deaf
School for the Deaf-Morganton

Three (2 percent) of the school districts provide some procedures, but not those mandated in Baker:

Cabarrus County
Jackson County
Onslow County

Eleven (8 percent) of the school districts indicated they have no procedural protections or written policies on corporal punishment:

Caswell County
Columbus County
Duplin County
Gaston County
Graham County
Hyde County
Montgomery County
Pender County
Stokes County
Tryon City
Whiteville City

No policies were enclosed in the responses of the following 6 (4 percent) school districts:

Edenton-Chowan County
Hendersonville City
Lenoir County(policies under revision)
Mount Airy City
Eastern School for the Deaf
Gov. Morehead School for the Blind ("corporal punishment is not permitted under any circumstances")

V. Principal Authority

As indicated previously in this report, Chapter 115 of the North Carolina General Statutes (dealing with elementary and secondary education) was rewritten and recodified in 1981. In this process, the wording of the statute on suspension(s) and expulsion(s) was changed. Under the old statutes, principals had the authority to suspend or dismiss any pupil who willfully and persistently violated the rules of the school. The new statute that went into effect on July 1, 1981, (N.C.G.S. 115C-391) states that a principal, or his designee, may suspend a student who willfully violates policies of conduct established by the local school board.

The new wording seems to indicate an intention that the popularly elected school board set the rules students must obey to avoid punishment. It is questionable, therefore, whether it is legal for a principal to suspend a student for violation of a rule imposed by the principal and not by the school board. It is also questionable whether a school board can delegate this rule-making authority to a school principal.

The North Carolina Court of Appeals dealt with this question in 1979 in the case of Fowler v. Williamson (30 N.C. App. 715, 251 S.E. 2d 889 (1979)). The court held that "...school officials have the implied right to adopt appropriate and reasonable rules and regulations for the purpose of carrying out their powers and duties." However, the North Carolina courts have not addressed the principal authority question in this context since the wording of the statute was changed in 1981. Therefore, this area is questionable and may provide a thorny issue which will catch many school administrators unaware of the ramifications of improper delegation of duties.

To determine whether this might be a serious problem in North Carolina, GACCY asked each school superintendent the following questions: "May a student be suspended or expelled for violating rules created by persons other than the board? Which rules? Created by whom?"

The responses indicated that 93 (64 percent) school districts do not allow suspensions or expulsions for violations of policies other than those set by the school board. Those school districts are as follows:

Alamance County
Albemarle City
Alexander County
Alleghany County
Ashe County
Asheboro City
Avery County
Beaufort County
Bertie County
Brunswick County
Burlington City
Caldwell County
Camden County
Carteret County
Caswell County
Catawba County
Chapel Hill-Carrboro City
Charlotte-Mecklenburg
Chatham County
Clay County
Columbus County
Currituck County
Dare County
Davidson County
Duplin County
Durham City
Durham County
Edenton-Chowan
Edgecombe County
Fairmont City
Franklin County
Franklinton City
Gaston County
Gates County
Goldsboro City
Graham County
Greene County
Greensboro City
Greenville City
Harnett County
Haywood County
Henderson County
Hendersonville City
Hertford County
Hickory City
High Point City
Hyde County
Iredell County
Johnston County
Kannapolis City
Kings Mountain City
Lexington City
Lincoln County
Macon County
Madison County
Madison-Mayodan City
Martin County
McDowell County
Mitchell County
Monroe City
Montgomery County
Moore County
Mooresville City
New Bern-Craven County
Newton-Conover City
Orange County
Pamlico County
Pitt County
Red Springs City
Richmond County
Roanoke Rapids City
Robeson County
Rocky Mount City
Rowan County
Rutherford County
Sampson County
Scotland County
Statesville City
Stokes County
Swain County
Tarboro City
Thomasville City
Transylvania County
Tryon City
Tyrrell County
Union County
Vance County
Wake County
Washington County
Wayne County
Weldon City
Yancey County
Governor Morehead School for the Blind

Forty-seven (32 percent) school districts allow students to be suspended or expelled for violations of policies made by principals, schools or discipline committees. Those school districts are as follows:

Anson County
Asheville City
Bladen County
Buncombe County
Burke County
Cabarrus County
Cherokee County
Cleveland County
Cumberland County
Davie County
Eden City
Elizabeth City-Pasquotank
Elkin City
Fayetteville City
Granville County
Guilford County
Halifax County
Hoke County
Jackson County
Jones County
Kinston City
Lee County
Lenoir County
Lumberton City
Mount Airy City
Nash County
New Hanover County
Northampton County
Onslow County
Pender County
Perquimans County
Polk County
Randolph County
Reidsville City
Rockingham County
Saint Pauls City
Salisbury City
Stanly County
Surry County
Warren County
Washington County
Watauga County
Whiteville City
Wilson County
Winston-Salem/Forsyth
Yadkin County
Central School for the Deaf

Additionally, the following six (4 percent) school systems did not respond to these questions:

Clinton City
Person County
Shelby City
Wilkes County
Eastern School for the Deaf
School for the Deaf, Morganton

VI. Additional Information on Positive Approaches

In an effort to gain additional information on school districts that are employing positive approaches toward discipline, GACCY asked two additional questions on its survey:

1) Have your teachers or principals been provided in-service training in classroom management in the last 12 months?

2) Do you have in-school suspension classrooms?

The responses indicated that 114 (78 percent) school districts had provided in-service training in classroom management for their principals and/or teachers in the past 12 months. The focus of the training for the majority of these districts was classroom organization and effective teaching or assertive discipline techniques. Many districts mentioned Classroom Organization for Effective Teaching (COET) offered by the State Department of Public Instruction.

Additionally, 131 (90 percent) school districts have in-school suspension classrooms, primarily in grades 6-12.

VI. Conclusions

In the spring of 1981, the Governor's Advocacy Council on Children and Youth conducted a survey of all the public school districts in North Carolina to determine how well the schools were dealing with the important issue of discipline in the public schools. The results of that survey, which were printed and distributed, were not very encouraging. Consequently, GACCY conducted a subsequent survey in the spring and fall of 1984, again to assess the adequacy of current school board policies, and also to determine what, if any, progress has been made since the 1982 report.

In addition to surveying the 142 public school districts in North Carolina, GACCY also surveyed the three N.C. schools for the deaf and the Governor Morehead School for the Blind. All systems, 146 total, responded to the survey as compared to 83 (58 percent) in the 1981 survey. The current results along with the results of the 1982 report are summarized as follows:

1985 (146 districts, 100 percent, of the 146 responded, including four DHR schools)	1982 (83 districts, 58 percent, of the 144 responded)
Code of Conduct do not conform to the requirements of the law	
12 percent	23 percent
Suspension and Expulsion do not have policies and procedure which ensure due process	
47 percent	48 percent
Corporal Punishment do not have complete policies	
34 percent	66 percent
Principal Authority allow principal to suspend for violations of rules other than the school board	
32 percent	60 percent
In-Service Training had provided some type of classroom management training in the past 12 months	
78 percent	No data

In-School Suspension

had in-school suspension classrooms

90 percent — No data

Suspension Policies for Special Needs Students

had no separate policy for special needs students or had out-of-date policies

49 percent — No data

Generally, with the exception of suspension and expulsion, policies and procedures have substantially improved since the 1982 study. The greatest percentage of change is seen in corporal punishment policies, where 62 percent of the systems now have policies that include all the due process procedures mandated in Baker v. Owen. The earlier study pointed out that only 30 percent of those responding had complete written policies on corporal punishment.

One general finding, particularly relative to suspension and expulsion, is that many systems are still basing their discipline policies on out-of-date statutes. Many of the policies reference old statutes and some even quote them as their policy.

The fact that 78 percent of the systems have provided classroom management training for their teachers and principals within the past year and that almost all (90 percent) have in-school suspension classrooms suggests a commitment on the part of administrators to effectively and creatively deal with discipline issues.

Finally, it is important to keep in mind that this report includes almost twice as many responses as the first report (1982). Also, policies were analyzed and percentages were figured based on what was sent to the council. The council did not assess how the policies were implemented, only how they were written.

SCHOOL SYSTEM	STUDENT CODE OF CONDUCT				SUSPENSION AND EXPULSION					CORPORAL PUNISHMENT			
	EXEMPLARY POLICY	MEET FEDERAL AND STATE LAW	LEFT UP TO SCHOOLS-IN VIOLATION	NO POLICY-IN VIOLATION OR MORE SENT	EXEMPLARY POLICY	MEET FEDERAL AND STATE LAW	SUPERINTENDENT OR IMPARTIAL TRIBUNAL	POLICY IN VIOLATION	NO POLICY-IN VIOLATION OR MORE SENT	EXEMPLARY POLICY	PROVIDE SOME PROCEDURES	NO POLICY OR SOME SENT	
Alamance Co.		x					x				x		
Albemarle City		x					x				x		
Alexander Co.		x						x			x		
Alleghany Co.	x					x					x		
Anson Co.					x	x						x	
Ashe Co.			x				x					x	
Asheboro City	x					x					x		
Asheville City	x								x		x		
Avery Co.		x								x	x		
Beaufort Co.	x								x		x		
Bertie Co.	x								x		x		
Bladen Co.		x								x		x	
Brunswick Co.	x								x		x		
Buncombe Co.		x							x				
Burke Co.		x				x						x	
Burlington City		x							x			x	
Cabarrus Co.		x							x			x	
Caldwell Co.		x						x			x		

SCHOOL SYSTEM	STUDENT CODE OF CONDUCT				SUSPENSION AND EXPULSION					CORPORAL PUNISHMENT			
	EXEMPLARY POLICY	MEET FEDERAL AND STATE LAW	LEFT UP TO SCHOOLS- IN VIOLATION	NO POLICY- IN VIOLATION OR NONE SENT	EXEMPLARY POLICY	MEET FEDERAL AND STATE LA-	SUPERINTENDENT OR IMPARTIAL TRIBUNAL	POLICY IN VIOLATION	NO POLICY- IN VIOLATION OR NONE SENT	EXEMPLARY POLICY	PROVIDE SOME PROCEDURES	NONE SENT OR	NO POLICY
Camden Co.		x							x			x	
Carteret Co.		x							x		x		
Caswell Co.					x					x			x
Catawba Co.		x								x	x		
Chapel Hill - Carrboro City	x						x				x		
Charlotte - Mecklenburg	x					x					x		
Chatham Co.	x					x					x		
Cherokee Co.	x					x					x		
Clay Co.		x							x		x		
Cleveland Co.			x							x		x	
Clinton City		x					x					x	
Columbus Co.					x				x				x
Cumberland Co.		x					x					x	
Currituck Co.		x						x				x	
Dare Co.	x								x			x	
Davidson Co.		x						x			x		
Davie Co.		x				x						x	
Duplin Co.			x							x			x

SCHOOL SYSTEM	STUDENT CODE OF CONDUCT				SUSPENSION AND EXPULSION					CORPORAL PUNISHMENT			
	EXEMPLARY POLICY	MEET FEDERAL AND STATE LAW	LEFT UP TO SCHOOLS IN VIOLATION	NO POLICY - IN VIOLATION OR NONE SENT	EXEMPLARY POLICY	MEET FEDERAL AND STATE LAW	SUPERINTENDENT OR IMPARTIAL TRIBUNAL	POLICY IN VIOLATION	NO POLICY - IN VIOLATION OR NONE SENT	EXEMPLARY POLICY	PROVIDE SOME PROCEDURES	NO POLICY OR NONE SENT	
Durham City	x							x			x		
Durham Co.		x				x					x		
Eden City					x					x	x		
Edenton-Chowan		x							x				x
Edgecombe Co.		x							x			x	
Elizabeth City - Pasquotank		x							x		x		
Elkin City		x					x				x		
Fairmont City		x							x		x		
Fayetteville City		x					x				x		
Franklin Co.		x				x					x		
Franklinton City		x					x				x		
Gaston Co.		x				x							x
Gates Co.		x							x		x		
Goldsboro City		x							x		x		
Graham Co.			x							x			x
Granville Co.		x					x				x		
Greene Co.			x						x			x	
Greensboro City	x					x					x		

SCHOOL SYSTEM	STUDENT CODE OF CONDUCT				SUSPENSION AND EXPULSION					CORPORAL PUNISHMENT			
	EXEMPLARY POLICY	MEET FEDERAL AND STATE LAW	LEFT UP TO SCHOOLS-IN VIOLATION	NO POLICY-IN VIOLATION OR NONE SENT	EXEMPLARY POLICY	MEET FEDERAL AND STATE LAW	SUPERINTENDENT OR IMPARTIAL TRIBUNAL	POLICY IN VIOLATION	NO POLICY-IN VIOLATION OR NONE SENT	EXEMPLARY POLICY	PROVIDE SOME PROCEDURES	NO POLICY OR NONE SENT	
Greenville City		x							x		x		
Guilford Co.	x							x			x		
Halifax Co.		x							x		x		
Harnett Co.		x				x					x		
Haywood Co.					x				x			x	
Henderson Co.	x					x					x		
Hendersonville City		x				x							x
Hertford Co.		x				x					x		
Hickory City			x			x						x	
High Point City		x				x					x		
Hoke Co.					x					x		x	
Hyde Co.		x								x			x
Iredell Co.		x					x					x	
Jackson Co.					x				x			x	
Johnston Co.		x					x				x		
Jones Co.		x							x		x		
Kannapolis City		x					x					x	
Kings Mountain City		x							x		x		

SCHOOL SYSTEM	STUDENT CODE OF CONDUCT				SUSPENSION AND EXPULSION					CORPORAL PUNISHMENT			
	EXEMPLARY POLICY	MEET FEDERAL AND STATE LAW	LEFT UP TO SCHOOLS-IN VIOLATION	NO POLICY-IN VIOLATION OR NONE SENT	EXEMPLARY POLICY	MEET FEDERAL AND STATE LAW	SUPERINTENDENT OR IMPARTIAL TRIBUNAL	POLICY IN VIOLATION	NO POLICY-IN VIOLATION OR NONE SENT	EXEMPLARY POLICY	PROVIDE SOME PROCEDURES	NONE SENT	NO POLICY OR
Kinston City		x							x		x		
Lee Co.		x							x		x		
Lenoir Co.					x					x			x
Lexington City		x						x			x		
Lincoln Co.		x								x		x	
Lumberton City		x							x		x		
Macon Co.		x				x						x	
Madison Co.		x							x			x	
Madison-Mayodan			x						x			x	
Martin Co.		x							x		x		
McDowell Co.		x							x		x		
Mitchell Co.		x						x			x		
Monroe City	x							x			x		
Montgomery Co.		x				x							x
Moore Co.		x					x					x	
Mooresville City		x				x						x	
Mount Airy City			x							x			x
Nash Co.		x					x				x		

SCHOOL SYSTEM	STUDENT CODE OF CONDUCT				SUSPENSION AND EXPULSION					CORPORAL PUNISHMENT			
	EXEMPLARY POLICY	MEET FEDERAL AND STATE LAW	LEFT UP TO SCHOOLS-IN VIOLATION	NO POLICY-IN VIOLATION OR NONE SENT	EXEMPLARY POLICY	MEET FEDERAL AND STATE LAW	SUPERINTENDENT OR IMPARTIAL TRIBUNAL	POLICY IN VIOLATION	NO POLICY-IS VIOLATION OR NONE SENT	EXEMPLARY POLICY	PROVIDE DUE PROCEDURES	NONE SENT	NO POLICY OR
New Bern-Craven Co.	x					x					x		
New Hanover Co.		x					x				x		
Newton-Conover		x				x					x		
Northampton Co.	x						x				x		
Onslow Co.		x								x		x	
Orange Co.	x					x					x		
Pamlico Co.		x							x		x		
Pender Co.		x				x							x
Perquimans Co.		x					x				x		
Person Co.		x					x					x	
Pitt Co.		x					x				x		
Polk Co.	x								x		x		
Randolph Co.	x						x				x		
Red Springs City		x							x		x		
Reidsville City	x								x		x		
Richmond Co.		x				x					x		
Roanoke Rapids City			x							x	x		
Robeson Co.		x							x		x		

SCHOOL SYSTEM	STUDENT CODE OF CONDUCT				SUSPENSION AND EXPULSION					CORPORAL PUNISHMENT			
	EXEMPLARY POLICY	MEET FEDERAL AND STATE LAW	LEFT UP TO SCHOOLS-IN VIOLATION	NO POLICY-IS VIOLATION OR NONE SENT	EXEMPLARY POLICY	MEET FEDERAL AND STATE LAW	SUPERINTENDENT OR IMPARTIAL TRIBUNAL	POLICY IN VIOLATION	NO POLICY-IS VIOLATION OR NONE SENT	EXEMPLARY POLICY	PROVIDE SOME PROCEDURES	NO POLICY OR NONE SENT	
Rockingham Co.		x							x			x	
Rocky Mount City		x					x					x	
Rowan Co.			x						x			x	
Rutherford Co.		x					x				x		
Saint Pauls City		x				x					x		
Salisbury City		x						x			x		
Sampson Co.		x					x				x		
Scotland Co.		x							x		x		
Shelby City		x							x		x		
Stanly Co.	x					x					x		
Statesville City		x				x					x		
Stokes Co.			x							x			x
Surry Co.					x					x	x		
Swain Co.		x							x			x	
Tarboro City		x					x				x		
Thomasville City					x				x		x		
Transylvania Co.		x								x	x		
Tryon City		x					x						x

SCHOOL SYSTEM	STUDENT CODE OF CONDUCT				SUSPENSION AND EXPULSION					CORPORAL PUNISHMENT			
	EXEMPLARY POLICY	MEET FEDERAL AND STATE LAW	LEFT UP TO SCHOOLS-IN VIOLATION	NO POLICY-IN VIOLATION & NONE SENT	EXEMPLARY POLICY	MEET FEDERAL AND STATE LAW	SUPERINTENDENT OR INDUSTRIAL TRIBUNAL	POLICY IN VIOLATION	NO POLICY-IN VIOLATION OR NONE SENT	EXEMPLARY POLICY	PROVIDE SOME PROCEDURES	NO POLICY OR NONE SENT	
Tyrrell Co.		x						x			x		
Union Co.		x					x				x		
Vance Co.		x					x				x		
Wake Co.		x					x				x		
Warren Co.		x					x					x	
Washington City	x							x			x		
Washington Co.		x							x		x		
Watauga Co.					x			x			x		
Wayne Co.			x						x			x	
Weldon City		x							x		x		
Whiteville City			x				x						x
Wilkes Co.		x					x				x		
Wilson Co.		x							x		x		
Winston-Salem/ Forsyth Co.	x					x					x		
Yadkin Co.		x					x				x		
Yancey Co.		x				x					x		

SCHOOL SYSTEM	STUDENT CODE OF CONDUCT				SUSPENSION AND EXPULSION					CORPORAL PUNISHMENT			
	EXEMPLARY POLICY	MEET FEDERAL AND STATE LAW	LEFT UP TO SCHOOLS-IN VIOLATION	NO POLICY-IN VIOLATION OR NONE SENT	EXEMPLARY POLICY	MEET FEDERAL AND STATE LAW	SUSPENSION ON PARENTAL TRIBUNAL	POLICY IN VIOLATION	NO POLICY-IN VIOLATION OR NONE SENT	EXEMPLARY POLICY	PROVIDE SOME PROCEDURES	NO POLICY OR NONE SENT	
Central School for the Deaf		x							x			x	
Eastern School for the Deaf	x								x				x
Governor Morehead School for Blind		x							x				x*
School for the Deaf Morganton	x								x			x	

*Corporal Punishment not permitted.